

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Minoru MORIYA et al.

Serial No. 10/522,718

Filed January 28, 2005

ANTAGONISTS TO MELANIN  
CONCENTRATING HORMONE RECEPTOR  
COMPRISING BENZIMIDAZOLE  
DERIVATIVES AS ACTIVE INGREDIENT  
[Corresponding to PCT/JP2003/009610  
Filed July 29, 2003]

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEE FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application PCT/\_\_\_\_\_; and/or
- each reference previously cited in prior parent application Serial No. \_\_\_\_\_

1a.  This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, **or**

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

**and thus no certification and/or fee is required.**

1b.  This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1)  the certification of paragraph 2 below is provided, **or**

(2)  the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c.  This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

- a.  that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- b.  that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3.  Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a full or partial English language translation submitted herewith,
- a foreign patent office search report (in the English language) submitted herewith,
- the concise explanation contained in the specification of the present application at pages 4 and 5,
- the concise explanation set forth in the attached English language abstract,
- the concise explanation set forth below or on a separate sheet attached to the reference:

5.  A foreign patent office search report citing one or more of the references is enclosed.

6.  Comments:

EP '210, cited on the attached PTO-1449 form, corresponds to JP '378, also cited herein. US '628, cited herein, corresponds to WO '925, also cited herein.

Respectfully submitted,

Minoru MORIYA et al.

By:

  
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April 27, 2005

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: April 27, 2005

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522,718

APPLICANT  
Minoru MORIYA et al.FILING DATE  
January 28, 2005

GROUP

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2004/0077628	4/2004	Ishihara et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO
	AH	0 419 210	3/1991	Europe			
	AI	03-109378	5/1991	Japan			
	AJ	95/32967	12/1995	WO			
	AK	01/21577	3/2001	WO			
	AL	01/82925	11/2001	WO			
	AM	02/02744	1/2002	WO			
	AN						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED